

Filed Under Seal

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA : **CRIMINAL NO. 18-_____**
v. : **DATE FILED: _____**
WARREN MASSIAH : **VIOLATIONS:**
: **18 U.S.C. § 1014 (making false statements**
: **to obtain a loan - 6 counts)**
: **18 U.S.C. § 1344 (bank fraud – 1 count)**
: **Notice of forfeiture**

INDICTMENT

COUNTS ONE THROUGH SIX

THE GRAND JURY CHARGES THAT:

At all times material to this indictment:

1. On or about the dates listed below, the institutions listed below were each financial institutions, the deposits of which were insured by the Federal Deposit Insurance Corporation and the National Credit Union Administration.
2. On or about the dates listed below, in the Eastern District of Pennsylvania and elsewhere, defendant

WARREN MASSIAH

knowingly made and caused to be made to the below listed financial institutions, false statements for the purpose of influencing the actions of the financial institutions upon the loans listed below, in that defendant MASSIAH made the statements listed below when, as the defendant knew, the statements were false:

Count	Financial Institution	Date	False Statement	Loan Amount
1	JP Morgan Chase Bank	4/18/16	False employment and false income information	\$40,427
2	Barclays Bank	4/18/16	False residence and false income information	\$5,000
3	Westlake Financial	5/13/16	False employment and false income information	\$19,753
4	Hughes Federal Credit Union	9/16/16	Fake pay stubs that reported false employer and false income	\$18,967
5	Citadel Federal Credit Union	9/26/16	False employer, false income, and false residence information	\$7,500
6	Citadel Federal Credit Union	9/28/16	False employer, false income, and false residence information	\$20,000

All in violation of Title 18, United States Code, Section 1014.

COUNT SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

At all times material to this indictment:

1. Hughes Federal Credit Union was a financial institution whose accounts were insured by the National Credit Union Association (NCUA), certificate number 7531.
2. From in or about April 2016 through in or about December 2017, in the Eastern District of Pennsylvania, and elsewhere, defendant

WARREN MASSIAH,

knowingly executed, and attempted to execute, and aided and abetted the execution of, a scheme to defraud the financial institution listed above to obtain monies owned by and under the care, custody and control of the financial institution by means of false and fraudulent pretenses, representations and promises, in violation of 18 United States Code, Section 1344.

THE SCHEME

5. On or about September 16, 2016, defendant WARREN MASSIAH made application online to Hughes Federal Credit Union (HFCU), headquartered in Tuscon, Arizona to refinance an auto loan for 2011 BMW 750ix. In support of the application and to induce HFCU to refinance the vehicle loan, MASSIAH falsely represented that he was employed at Daily Start Café in Philadelphia, and submitted fake pay stubs showing year-to-date earnings of \$28,000. In reality, MASSIAH was unemployed and had no legitimate earnings.

6. As a result of the false information MASSIAH submitted on the application, Hughes authorized the issuance of the automobile loan of more than \$19,000. MASSIAH used the funds to satisfy the original automobile loan.

7. Over the course of this fraudulent scheme, and to further the scheme,

MASSIAH made a number of minimal payments on this loan, but ultimately defaulted on the loan, resulting in HFCU repossessing the BMW to recoup the losses on the loan.

8. Through this scheme, defendant WARREN MASSIAH fraudulently obtained and sought to obtain in excess of \$19,000 from the victim financial institution.

All in violation of Title 18, United States Code, Section 1344.

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violations of Title 18, United States Code, Section 1014 and 1344 as set forth in this indictment, defendant

WARREN MASSIAH


shall forfeit to the United States of America any property, real or personal, that constitutes or is derived from proceeds obtained directly or indirectly as the result of the commission of such offenses, as charged in this indictment.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, Section 982(b), incorporating 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 18, United States Code, Section 982.


for WILLIAM M. McSWAIN
United States Attorney

FOREPERSON